

REMARKS

Claims 1-27 are pending in the Application.

Claims 1-27 stand rejected.

I. REJECTION UNDER 37 C.F.R. § 101

Claims 1-18 are rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter. The Examiner asserts that claims 1-9 are directed to a search method which is nothing more than an algorithm or abstract idea and has no tangible or concrete embodiment, and produces no useful, tangible or concrete results. The Applicants respectfully traverse the rejections of claims 1-18 under 35 U.S.C. § 101.

Claim 1 is directed to a search method. The method includes determining if a first parameter has a first predetermined value, and if the first parameter has the first predetermined value, returning a value of each one or more selected members of the first node. The first node is referenced by a value of a first member of a second node in response to the first member of the second node having a predetermined type.

The Applicants respectfully contend that the claimed inventions satisfy the test for statutory subject matter recited in *In re Alappat*, and repeated in *State Street Bank & Trust Co. v. Signature Financial Group*, and *AT&T Corp. v. Excel Communications, Inc.* *In re Alappat*, 33 F.3d 1526, 31 U.S.P.Q.2d 1545 (Fed. Cir. 1994); *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 149 F.3d 1368, 47 U.S.P.Q.2d 1596 (Fed. Cir. 1998); *AT&T Corp. v. Excel Communications, Inc.*, 172 F.3d 1526, 50 U.S.P.Q.2d 1547 (Fed. Cir. 1999). The claimed inventions produce a useful, concrete and tangible result in, *inter alia*, a return value for one or more selected members of a node in response to a search.

The essential inquiry under *In re Alappat* is to determine whether the claimed subject matter as a whole is directed to a disembodied mathematical concept representing nothing more than a "law of nature" or an "abstract idea" or if, in contrast, the

mathematical concept has been reduced to some practical application rendering it useful. *AT&T Corp.*, 172 F.2d at 1357, 50 U.S.P.Q.2d at 1451 (citing *In re Alappat*, 33 F.3d at 1543, 31 U.S.P.Q.2d at 1556-57). Moreover, in making the determination whether the claimed subject matter as a whole is a disembodied mathematical concept or if the concept has been reduced to some practical application rendering it useful, the claims must be construed in the light of the Specification. See, *AT&T Corp.*, 172 F.3d at 1357, 50 U.S.P.Q.2d at 1451 (stating that more than an abstract idea was claimed in *In re Alappat* because the "claimed invention as whole was directed toward forming a specific machine that produced the useful, concrete and tangible result of a *smooth wave form display*") (emphasis supplied). The single claim at issue in *In re Alappat* was directed to a rasterizer and recited elements in means plus function form. *In re Alappat*, 33 F.3d at 1540, 31 U.S.P.Q.2d at 1555. Additionally, none of the limitations recited in the claim at issue expressly claimed a "smooth wave form display". Indeed, the concrete, useful and tangible result relied upon in *In re Alappat*, namely, a smooth uniform display, appears in the background of the invention. *Kuriappan P. Alappat, et al.*, U.S. Patent No. 5,440,676 (col. 1, lines 9-10).

Likewise, in *AT&T Corp.*, the useful, nonabstract result relied upon in holding that the claimed invention was directed to statutory subject matter was that the PIC indicator therein held information about the call recipients PIC, which facilitated differential billing of long-distance calls made by a subscriber. *AT&T Corp.*, 172 F.3d 1358, 50 U.S.P.Q.2d at 1452. However, the claim at issue in *AT&T Corp.* was directed to a method including the steps of generating a message record for an interexchange call, and including in the message record a PIC indicator having a value which is a function of whether or not the interexchange carrier associated with the terminating subscriber is a predetermined one of the interexchange carriers. *AT&T Corp.*, 172 F.3d at 1354, 50 U.S.P.Q.2d at 1449. Again, there was no express or explicit claim limitation directed to the useful, concrete, and tangible result relied upon in determining that the aforesaid claim was directed to statutory subject matter. See, *Id.* The relied upon PIC indicator that facilitates differential billing of long-distance calls appears, *inter alia*, in the summary of the

invention. *Gerard P. Doherty, et al.*, U.S. Patent No. 5,333,184, col. 1, line 66 through col. 2, line 3.

Likewise, in *State Street Bank & Trust v. Signature Financial Group*, a useful and concrete and tangible result not expressed in an explicit limitation in the claim at issue was relied upon in holding that the claim was directed to statutory subject matter. *See, State Street Bank*, 149 F.3d at 1373, 47 U.S.P.Q.2d at 1601 (holding that the transformation of data by the claimed data processing system produced a useful, concrete and tangible result, namely a final share price momentarily fixed for recording and reporting purposes).

The claimed invention recited no limitation directed to either a final share price or means for momentarily fixing the final share price for recording and reporting purposes. *See, State Street Bank*, 149 F.3d at 1371, 47 U.S.P.Q.2d at 1599. Indeed, the relied upon useful, concrete and tangible result in *State Street Bank*, namely a final share price momentarily fixed, is not explicitly recited in the *State Street Bank* patent, but is effectively a distillation of the Summary of the Invention. *See, R. Todd Boes*, U.S. Patent No. 5,193,056, col. 4, lines 36-61. Thus, it is beyond peradventure that when judging the claimed subject matter as a whole to determine patentability under 35 U.S.C. § 101, the claims must be construed in the light of the specification.

In short, the question whether a claim encompasses statutory subject matter focuses on the essential characteristics of the subject matter, in particular its utility. *State Street Bank*, 149 F.3d at 1375, 47 U.S.P.Q.2d at 1602.

The Examiner contends that the claims are directed to an algorithm, or abstract idea or concrete embodiment and produces no useful result. (Paper No. 9, page 2.) These allegations are unavailing for several reasons. As discussed above, the assertion that the claim is directed to an algorithm does not address the essential inquiry under 35 U.S.C. § 101. The inquiry is not whether the claim recites an algorithm (all processes are in some sense an algorithm) but is there a practical application, or result. *State Street Bank*, 149 F.3d at 1373, 47 U.S.P.Q.2d at 1601. As discussed above, claims 1-18 are

directed to a search method that produces a search result, in particular, values of one or more node members.

The Examiner further asserts that claims 10-18, directed to a computer program product that include instructions for method steps that are nothing more than an algorithm that produces no useful, tangible or concrete result are non-statutory. (Paper No. 9, page 2.) Again, the Applicants respectfully disagree. The issue of a computer program product is statutory subject matter was settled in *In re Beauregard*. (*In re Beauregard*, 53 F.3d 1583, 1584, 35 U.S.P.Q.2d 1383, 1384 (Fed. Cir. 1995)). In *Beauregard*, the USPTO agreed that a computer program product in a tangible storage medium is statutory subject matter. *Id.* at 1584, 35 U.S.P.Q.2d at 1384. There is no inquiry as to the nature of the programming contained in the computer program product. *See Id.* Consequently, although the Applicants respectfully disagree that the programming instructions contained therein constitute nothing more than an algorithm that produces no useful result, such an inquiry is irrelevant under *Beauregard*. Therefore, the computer program product of claims 10-18 is statutory subject matter, *per se*.

Thus, for at least the aforesaid reasons, the Applicants respectfully contend that claims 1-28 constitute statutory subject matter. The Applicants respectfully request the withdrawal of the rejections of claims 1-28 under 35 U.S.C. § 101.

II. REJECTION UNDER 35 U.S.C. § 102

Claims 1, 4, 6, 8-10, 13-15, 17-19, 22, 24, 26 and 27 have been rejected under 35 U.S.C. § 102 as being anticipated by *Traversat, et al.*, U.S. Patent No. 6,366,954 ("*Traversat*"). The Applicants respectfully traverse the rejection of claims 1, 4, 6, 8-10, 13-15, 17-19, 22, 24, 26 and 27 under 35 U.S.C. § 102.

Claim 1 is directed to a search method including determining if a first parameter has a first predetermined value, and, if the first parameter has the first predetermined value, the method returns the value of each of one or more selected members of a first node. The first node is referenced by a value of a first member of a second node in

response to the first member of the second node having a predetermined type. Claim 1 has been rejected on the grounds that *Traversat* allegedly teaches determining if a first parameter, namely configuration request data such as a machine identifier, user name or user identifier, has a first predetermined value, for example a MAC address or user name. (Paper No. 9, page 3) (citing *Traversat*, FIGURE 7, step 706). However, FIGURE 7 of *Traversat* discloses a methodology for accessing LDAP directory in a Java System Database (JSD) environment (*Traversat* FIGURE 7 and column 9, lines 23-25). In particular, step 706 discloses a step in which the JSD server determines whether data requested or needed by a client is in the JSD server schema. If so, the configuration data needed by the client is retrieved and, transmitted to the client (710). (*Traversat*, column 9, lines 44-49.) Thus, this step does not disclose determining if a first parameter has a first predetermined value. This step determines if data is available from the JSD server. In other words, *Traversat* does not teach a step of determining if the value of a parameter is a first predetermined value but teaches determining where required to configure the client data is located. The Examiner then identifies the “Yes” branch from step 706 as a determination that the first parameter has a first predetermined value, wherein application specific configuration data is returned (710). (Paper No. 9, page 3.) The application specific data allegedly discloses the value of one or more selected members of the first node. (*Id.*) Plainly the “Yes” branch from step 706 is responsive to a determination that the configuration data needed by the client is available from the JSD server. This is not a determination that a first parameter has a first predetermined value.

Additionally, the Examiner relies on teaching in *Traversat* directed to a hierarchical structure of an example namespace in a Java System Database (JSD) server schema. (Paper No. 9, page 3) (citing *Traversat*, column 8, lines 43-64). The machine namespace example contains three categories: a platform category (411), an identifier category (413), and a profile category (415). (*Traversat*, column 8, lines 16-64.) Under the identifier category are entries that contain a unique identifier for each computer in network such as the example network depicted in FIGURE 3 of *Traversat*. (*Traversat*, column 8, lines 33-35.) Under the profile category are entries that describe particular

categories or uses of computers in the network. (*Traversat*, column 8, lines 51-52.) Under this category is configuration information for particular profiles which can describe, for example, departments within a company. (*Traversat*, column 8, lines 51-54.) *Traversat* further teaches that under the finance profile example is application specific data (519) containing data related to the finance profile. (*Traversat*, column 8, lines 54-57.) *Traversat* further describes that a specific identifier leaf node may be cross-referenced to a profile entry node if needed, that is, if a particular computer has a certain profile. For example a computer used in the accounting department or a computer that is strictly used as a receptionist terminal, may have a reference from that computer's identifier to the appropriate profile entry. (*Traversat*, column 8, lines 57-64.) The Examiner relies on this teaching as disclosing the element of claim 1 in which the first node is referenced by a value of a first member of a second node in response to the first member of the second node having a predetermined type. (Paper No. 9, page 3.) However, this reliance is misplaced for several reasons.

There is no disclosure of a methodology in conjunction with FIGURE 5. There is nothing being returned in conjunction with FIGURE 5, and in particular, there is nothing that discloses returning a value of each of one or more selected members of a first node in response to the first member of the second node having a predetermined type. Indeed, the Applicants note that there is no discussion of the cross-references as discussed in conjunction with FIGURE 5 of *Traversat* in association with methodologies described in FIGURES 7, 8, 10 or 11. The Applicants further note that this absence of the determining step as recited in claim 1 and the referencing of the first node by a value of a first member of a second node in response to the first member having a predetermined type is unremarkable.

Traversat is directed to methods for exchanging data between a JSD entry and an LDAP directory service. (*Traversat*, column 1, lines 1-5.) In particular, *Traversat* is related to the transfer and arrangement of configuration data among components of storage areas in a computer network. (*Traversat*, column 1, lines 23-26.) In sum, the problem addressed by *Traversat* and the instant Application are completely different.

Therefore, there is no reason to expect that *Traversat* would disclose the invention of claim 1.

Anticipation requires that a single prior art reference teach the identical invention as claimed. MPEP § 2131. In other words, the reference must teach all of the limitations of the claim arranged as required by the claim. *Id.* Because, for the reasons discussed hereinabove, *Traversat* does not teach the identical invention of claim 1, claim 1 is not anticipated by *Traversat*. Therefore, claim 1 is allowable under 35 U.S.C. § 102 over *Traversat*, and the Applicants respectfully request the withdrawal of the rejection of claim 1 under 35 U.S.C. § 102 over *Traversat*.

Claim 4 is directed to the method of claim 1 and further including the step of returning values of a selected set of members of the second node. The Examiner relies on step 710 of FIGURE 7 as disclosing the limitation of claim 4. (Paper No. 9, page 4.) This teaching in *Traversat* discloses transmitting configuration data to the client if it is in the JSD server schema (when step 710 is reached via the "Yes" branch of step 706, or otherwise obtained from the LDAP server (step 708) of FIGURE 7). (*Traversat*, column 9, lines 44-65.) Nothing in *Traversat* discloses that configuration data is a value of a selected set of members of a second node in which the first member has a predetermined type nor, as previously discussed, does *Traversat* teach that the second node has a first member having a value referencing the first node. Therefore, because anticipation requires that a single reference teach the identical invention as recited in the claim, *Traversat* does not anticipate claim 4. Therefore, claim 4 is allowable under 35 U.S.C. § 102 over *Traversat*, and the Applicants respectfully request a withdrawal of the rejection of claim 4 over *Traversat*.

Claim 6 is directed to the method of claim 1 and further including the step of, if the first parameter has the first predetermined value, returning a value of each of one or more selected members of a third node, the third node being referenced by a value of a first member of the first node in response to the first member of the first node having the predetermined type. Claim 6 has been rejected in the teaching in *Traversat* disclosing a

schematic diagram depicting the hierarchical structure of the MACHINE namespace discussed hereinabove in conjunction with claim 1. (Paper No. 9, page 4.) Recall that there is no process described in conjunction with FIGURE 5. In particular, FIGURE 5 and the associated description thereof includes no teaching with respect to a step of returning anything. (*Traversat*, column 8, lines 16-64.) FIGURE 5 illustrates a hierarchical structure of an example JSD server schema namespace. Additionally, step 710 of FIGURE 7 of *Traversat* discloses transmitting configuration data to a client, however, there is nothing disclosed in *Traversat* describing the configuration data as a value of one or more selected members of a third node. (*Traversat*, column 9, lines 44-65.) Consequently, *Traversat* does not teach the identical invention of claim 6. Therefore, *Traversat* does not anticipate claim 6 and claim 6 is allowable under 35 U.S.C. § 102 over *Traversat*. The Applicants respectfully request the withdrawal of the rejection of claim 6 under 35 U.S.C. § 102 over *Traversat*.

Claim 8 recites the method of claim 1 in which the first parameter comprises a parameter of a set of parameters in a search request. *Traversat* is asserted to teach the limitation of claim 1 in step 704 of FIGURE 7. (Paper No. 9, page 4.) *Traversat* teaches that, a client computer boots up and a particular user logs on. (*Traversat*, column 9, lines 35-36; FIGURE 7, step 704.) *Traversat* further teaches that the client computer accesses the JSD server to retrieve its configuration data and the configuration data for the user. (*Traversat*, column 9, lines 36-38.) Additionally, *Traversat* further teaches that the client computer accesses the JSD server to retrieve its configuration data and configuration data for the particular user. (*Traversat*, column 9, lines 35-38.) Plainly, *Traversat* does not teach a first parameter, as recited in claim 1, comprising a parameter of a set of parameters in a search request, as recited in claim 8. There is nothing in the description of FIGURE 7 that discloses a set of search parameters, generally. (See *Traversat*, column 7, lines 23-65.) *Traversat* discusses a methodology for obtaining the configuration data from the LDAP directory when it is not in the JSD server schema in conjunction with step 708 at FIGURE 10. (*Traversat*, column 9, lines 49-51; column 12, lines 1-31.) This is the use of a path name table to find a high level path in the LDAP

directory and performing a search under the high level path identified in the table. (*Traversat*, column 12, lines 15-31.) It would be recognized by persons of ordinary skill in the relevant art that the search may be performed using the standard `singleLevel` or `wholeSubtree` search scope in accordance with the LDAP specification. (See e.g. HEINZ JOHNER, ET AL, UNDERSTANDING LDAP, 36-37 (1998).) Thus, *Traversat* does not teach, either explicitly or implicitly a first parameter as recited in claim 8 because there is no such parameter, either explicitly or implicitly, in *Traversat* whereby a value of a selected member of a first node is returned if the first parameter has a first predetermined value. Because *Traversat* does not teach the identical invention of claim 8, it does not anticipate claim 8. Therefore, claim 8 is allowable under 35 U.S.C. § 102 over *Traversat*, the Applicants respectfully request the withdrawal of the rejection of claim 8 under 35 U.S.C. § 102.

Claim 9 is directed to the method of claim 8 wherein the search request comprises a Lightweight Directory Access Protocol (LDAP) search request. The LDAP search as disclosed in *Traversat* has been discussed in conjunction with claim 8. While *Traversat* does disclose an example of a particular LDAP search for returning configuration data which is not found in the JSD server scheme, as discussed in conjunction with claim 8, such a search does not disclose the search method of claim 9, which incorporates the limitations of the claims from which it depends. Anticipation requires that the identical invention as recited in the claim be disclosed by the reference. Because *Traversat* does not teach the identical search method of claim 9, *Traversat* does not anticipate claim 9. Consequently, the Applicants respectfully request that the rejection of claim 9 under 35 U.S.C. § 102 over *Traversat* be withdrawn.

Claims 10, 13, 15, 17 and 18 have been rejected on the same ground as claims 1, 4, 6, 8 and 9, respectively, as being drawn to a computer program product including programming for performing operations paralleling the method steps of the respective ones of claims 1, 4, 6, 8 and 9. (Paper No. 9, page 4.) Similarly, claims 19, 22, 24, 26 and 27 have been rejected on the same basis as claims 1, 4, 6, 8 and 9 respectively, as being drawn to a data processing system for performing operations paralleling the method

steps of respective ones of claims 1, 4, 6, 8 and 9. For the reasons discussed in conjunction with claims 1, 4, 6, 8 and 9 hereinabove, claims 10, 13, 15, 17, 18, 19, 22, 24, 26 and 27 are also not anticipated by *Traversat*. The Applicants also respectively request the withdrawal of the rejection of claims 10, 13, 15, 17, 18, 19, 22, 24, 26 and 27 under 35 U.S.C. § 102.

III. REJECTION UNDER 35 U.S.C. § 102

Claims 1-27 have been rejected under 35 U.S.C. § 102 as being anticipated by *Golla, et al.*, U.S. Patent No. 6,587,874 (“*Golla*”). The Applicants respectfully traverse the rejection of claims 1-27 under 35 U.S.C. § 102.

The limitations of claim 1 have been described hereinabove. *Golla* is directed to the use of hierarchical directories to aggregate configuration information for configuring network devices such as routers and switches. (*Golla*, column 1, lines 6-10.) *Golla* teaches a method for sequentially traversing a directory tree to retrieve configuration information for the network device being configured. (*Golla*, FIGURE 4; column 9, line 36 through column 10, line 25.)

The Examiner asserts that the step in claim 1 of determining if a first parameter that has a first predetermined value is taught by step 403 of FIGURE 4 of *Golla*. (Paper No. 9, page 5.) This step, as taught by *Golla* is a step of identifying the leaf node corresponding to the network device under consideration. (*Golla*, column 9, lines 42-44.)

The first parameter is identified as the request principal, and a first predetermined value is identified as a particular Distinguished Name (DN) attribute value. (*Id.*) The Applicants note that these identifications are an interpretation by the Examiner. In other words, *Golla* does not itself identify, for example, a particular DN attribute value as a predetermined value of a first parameter. Indeed, *Golla* teaches to the contrary. As previously noted, the network device being configured is identified as the “principal” in an LDAP request. *Golla* further teaches that the principal is also referred to as a Distinguished Name. (*Golla*, column 4, lines 37-38.) *Golla* further teaches, consistent with the LDAP specification, that the distinguished name, (DN) is a unique identifier of

an LDAP entry. (*Golla*, column 4, lines 46-47; *see also* HEINZ JOHNER, ET AL. UNDERSTANDING LDAP, 20-21 (1998). Thus, it is not logical to interpret the identifying step of *Golla* with the determining step of claim 1 because determining whether the principal, or DN for the leaf node is itself, makes no sense. Therefore, *Golla* does not teach, and it is improper to interpret *Golla* as teaching the determining step of claim 1. *Golla* simply teaches that the principal of the network device is the DN of its leaf node and that DN is identified in the LDAP request in step 403.

With respect to the step of returning a value of one or more selected members of the first node if the first parameter has the first predetermined value, the Examiner relies on the disclosure in *Golla* of the step of packaging and sending configuration parameters (417), if the leaf node is identified. As previously discussed, there is no step of identifying if a first parameter has a first predetermined value. The Examiner also interprets the conditional with respect to the first parameter having the first predetermined value as "if the leaf node is identified." (Paper No. 9, page 5.) However, there is no decisional step with respect to identification of a leaf node. *Golla* teaches identifying leaf node. As previously discussed, this is by application of the principal of the network device in the LDAP request. (*Golla*, column 9, lines 45-46.) There is nothing to be "determined" with respect to a first parameter in *Golla*. Again, this absence of such teaching in *Golla* is not remarkable. *Golla* is directed to configuring network devices, as previously discussed. *Golla* is not directed to the problems addressed by the instant Application.

With respect to the elements in claim 1 in which the first node is referenced by a value of a first member of a second node, the Examiner identifies the second node with the identified leaf node, and the value of the first member referencing the first node as the particular DN. (Paper No. 9, page 5.) Again, the Applicants respectfully disagree. As taught in *Golla* and in accordance with the LDAP specification, the DN is the unique identifier of a node in the directory tree. That is, each node in the directory tree has a unique DN which identifies that node. Therefore, the attribute value of one node, say the first node, as recited in claim 1, cannot under any circumstances be referenced by the DN of the second node. That notwithstanding, there is no teaching in *Golla* in which a first

node is referenced by a value of a first member of a second node. No such teaching would be expected. As previously discussed, *Golla*, teaches simply a sequential traversal of a branch from a leaf node to the root of the directory tree, and such a traversal requires no operation of a first node being referenced by a value of a first member of a second node. Moreover, *Golla* does not teach this limitation whether in response to the first member of a second node having a predetermined type or otherwise. (With respect to the Examiner's assumption that the predetermined type is "non-root", the Applicants only note that there is no such determination made in *Golla*. *Golla* simply detects the root node (415) to terminate the recursive exploration of the directory tree from the leaf node for the device being configured to the root node of the tree. In other words, there is no need to determine if a node is of type non-root because starting from a leaf node assures that until the root node is reached. *Golla*, FIGURE 4; column 10, lines 18-19.)

Thus, *Golla* fails to teach the identical invention of claim 1. Therefore, *Golla* does not anticipate claim 1. The Applicants respectfully request the withdrawal of the rejection of claim 1 under 35 U.S.C. § 102 over *Golla*.

Claim 2 is directed to the method of claim 1 and further including the step of determining if a second member of the second node matches a value of a second parameter. The Examiner contends that this step is taught by the method of *Golla* discussed in conjunction with claim 1 by step 403 if another DN attribute value of the identified leaf node matches a value of a second parameter, namely another parameter of the LDAP request principal. (Paper No. 9, pages 5-6.) The Applicants respectfully disagree. As previously discussed, and as taught by the LDAP specification and *Golla*, a DN (that is the value of a DN attribute) is a unique identifier of a node in the directory tree. Therefore, the leaf node whose DN attribute is the principal of the LDAP request cannot have a second DN. Thus, the Examiner's interpretation of the teaching of *Golla* is explicitly contradicted by the LDAP specification itself and the aforementioned teaching in *Golla* which discusses the architecture of an LDAP directory tree consistent with the LDAP specification. The foregoing notwithstanding, *Golla* does not teach a step of determining if a second member of the second node (as recited in claim 1) matches a value

of a second parameter. As previously described, *Golla* teaches sequentially traversing a branch of directory tree aggregating confirmation data. There is no reason for *Golla* to teach the limitation of claim 2, and does not do so. Because *Golla* does not teach the identical invention of claim 2, *Golla* does not anticipate claim 2. Therefore, claim 2 is allowable under 35 U.S.C. § 102 over *Golla*, and the Applicants respectfully request the withdrawal of the rejection of claim 2 under 35 U.S.C. § 102.

Claim 3 further depends from claim 2 and is directed to the method thereof in which the step of returning the value of each of one or more members of the first node is in response to the second member of the second node matching the value of the second parameter. The Examiner asserts that the element of claim 3 is taught by the step of packaging and sending the configuration parameters (417) after the leaf node is found. (Paper No. 9, page 6.) However, there is no “finding of a leaf node.” As previously discussed, the LDAP request principal identifies the leaf node corresponding to the network device being configured, and indeed, *Golla* refers to this as an identifying step. (*Golla*, FIGURE 4.) In other words, there is nothing to be found because the methodology of *Golla* knows where to look. Moreover, as previously discussed, there is no matching of a leaf node to a second parameter. Therefore, there can be no returning step that is responsive to such a matching. Because *Golla* does not teach (nor would be expected to teach) the invention of claim 3, *Golla* does not anticipate claim 3. Therefore, claim 3 is allowable under 35 U.S.C. § 102 over *Golla*, and the Applicants respectfully request the rejection of claim 3 be withdrawn.

Claim 4 depends from claim 1 and recites the method thereof and further including the step of returning values of a select set of members of the second node. *Golla* allegedly teaches the element of claim 4 in returning configuration parameters of the identified leaf node. (Paper No. 9, page 6.) However, because the identified leaf node does not teach the second node as recited in claim 4 (through its dependency from claim 1, it necessarily fails to teach returning a selected set of members of the second node as configuration parameters of the identified leaf node. Consequently, *Golla* does not teach the identical invention of claim 4. Because *Golla* does not, therefore, anticipate

claim 4, claim 4 is allowable under 35 U.S.C. § 102 over *Golla*, and the Applicants respectfully request the withdrawal of the rejection of claim 4 under 35 U.S.C. § 102.

Claim 5 is directed to the method of claim 4 and further including the step of determining if a second member of the second node matches a value of a second parameter and, in which the step of returning values of the selected step of members of the second node is in response to the second member of the second node matching a value of the second parameter. Claim 5 has been rejected on the same basis as claim 3, namely, that the determination if the second member of the second node matches a value of a second parameter is taught by finding the leaf node. (Paper No. 9, page 6.) As discussed in conjunction with claim 3, there is no teaching in *Golla* with respect to determining if a second member of a second node matches a value of a second parameter, and this is plainly not taught by the finding of a leaf node, in particular. Consequently, *Golla* does not teach the identical invention of claim 5, and thus, claim 5 is allowable under 35 U.S.C. § 102 over *Golla*. The Applicants respectfully request the withdrawal of the rejection of claim 5 under 35 U.S.C. § 102.

Claim 6 is directed to the method of claim 1 and further including the step of, if the first parameter has the first predetermined value, returning a value of each of one or more members of a third node, the third node being referenced by a value of a first member of the first node in response to the first member of the first node having the predetermined type. Claim 6 has been rejected on essentially the same argument as claim 1 with the third node identified as the parent of the leaf node's parent, and the third node being referenced by a value of the first member of the identified leaf node's parent, particularly a DN attribute value. (Paper No. 9, page 7.) However, as previously discussed, the DN attribute value of the identified leaf node's parent is the unique identifier of the identified leaf node's parent, and does not reference a third node. Indeed, under the Examiner's interpretation, *Golla* would not work because all the nodes in *Golla* would be the same node. Thus, *Golla* does not teach the identical invention of claim 6. Therefore, *Golla* does not anticipate claim 6, and claim 6 is allowable under

35 U.S.C. § 102 over *Golla*. The Applicants respectfully request the withdrawal of the rejection of claim 6 under 35 U.S.C. § 102.

Claim 7 further depends from claim 6 and recites the method thereof in which selected members of the first node and the selected members of the third node are selected in response to a value of a second parameter. Claim 7 has been rejected on the same basis of claim 2 in which the members of the first node, that is the leaf node's parent, and the selected members of the third node, that is the leaf node's parent's parent are selected in response to a value of another DN attribute value of the identified leaf node. (Paper No. 9, page 7.) However, as discussed in conjunction with claim 2, there is no second DN attribute value of the identified leaf node. The DN attribute value of a node is unique. It uniquely identifies the node. Consequently, the Examiner's interpretation of the teaching of *Golla* is contrary to the LDAP specification. The foregoing notwithstanding, *Golla* does not teach selection in response to a value of a second parameter. Because *Golla* does not teach the identical invention of claim 7, *Golla* does not anticipate claim 7. Therefore, claim 7 is allowable under 35 U.S.C. § 102 over *Golla* and the Applicants respectfully request the withdrawal of the rejection of claim 7 under 35 U.S.C. § 102.

Claim 8 is directed to the method of claim 1 in which the first parameter comprises the parameter of a set of parameters in a search request. The limitation of claim 8 is alleged to be taught by *Golla* in which the first parameter, namely, a parameter of an LDAP request principal, is a parameter of a set of parameters namely the principal, in a LDAP search request. (Paper No. 9, page 7.) The Applicants note that the LDAP request principal is the principal, and is the only search request parameter disclosed in *Golla*. To the extent that a set of parameters can have a single member, then perhaps, the LDAP request principal might comprise a parameter of a set of parameters. Nevertheless, because for the reasons discussed hereinabove, *Golla* does not teach the limitations of claim 1 from which claim 8 depends, *Golla* necessarily fails to anticipate claim 8. Consequently, claim 8 is allowable under 35 U.S.C. § 102 over *Galls*, and the Applicants respectfully request the withdraw of the rejection of claim 8 under 35 U.S.C. § 102.

Claim 9 further depends from claim 8 and recites the method thereof in which the search request comprises an LDAP search request. The Applicants do not dispute that *Golla* teaches an LDAP search request. Nevertheless, because claim 9 incorporates the limitations of claims 8 and 1 from which claim 9 depends, and because these claims are not anticipated by *Golla*, claim 9 is also not anticipated by *Golla*. Therefore, claim 9 is allowable under 35 U.S.C. § 102 over *Golla*, and the Applicants respectfully request the withdrawal of the rejection of claim 9 under 35 U.S.C. § 102.

Claims 10-18 have been rejected on the same basis as claims 1-9, respectively, as being drawn to a computer program product, including programming for performing operations paralleling the method steps of the respective ones of claims 1-9. Thus, for at least those reasons discussed in conjunction with claim 9, the Applicants also respectfully assert that *Golla* does not anticipate claims 10-18. Therefore, claims 10-18 are allowable under 35 U.S.C. § 102 over *Golla*, and the Applicants respectfully request the withdrawal of the rejection of claims 10-18 under 35 U.S.C. § 102.

Claims 19-27 also have been rejected on the same basis as claims 1-9, respectively, as being drawn to a data processing system for performing operations paralleling the method steps of the respective ones of claims 1-9. Therefore, for the reasons discussed in conjunction with claims 1-9, claims 19-27 are also allowable under 35 U.S.C. § 102 over *Golla*, and the Applicants respectfully request the withdrawal over the rejection of claims 19-27 under 35 U.S.C. § 102.

IV. CONCLUSION

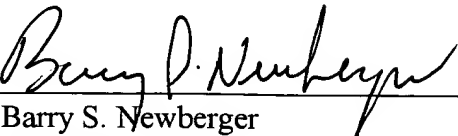
As a result of the foregoing, it is asserted by the Applicants that the remaining claims in the Application are in condition for allowance, and respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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